SUPREME COURT MINUTES TUESDAY, APRIL 11, 2000 SAN FRANCISCO, CALIFORNIA

Orders were filed in the following matters extending the time within which to grant or deny a petition for review to and including the date indicated, or until review is either granted or denied:

A086045/S086155 People v. Emilio Mendoza – May 24, 2000.

A086415/S086067 People v. Russell Sturns – May 12, 2000.

B119983/S085908 People v. Donte Q. Patterson et al. – May 12, 2000.

D030699/S086089 People v. Alexander G. Valentine – May 12, 2000.

D032235/S086075 In re Derrick B.; People v. Derrick B. – May 17, 2000.

E022317/S085802 People v. Pedro Tapia – May 12, 2000.

G020819/G025439 In re Brett Allen Langford on Habeas Corpus; S085916 People v. Brett Allen Langford – May 12, 2000.

F032232/S085849 In re Roberto M.; People v. Roberto M. – May 15, 2000.

F034889/S085906 Welsey Michael McDonald v. Merced County Superior Court; People, RPI – May 12, 2000.

S018814 People, Respondent

V.

Ramon Bojorquez Salcido, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's reply brief is extended to and including May 3, 2000.

S022173 People, Respondent

V.

Clifford Stanley Bolden, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's reply brief is extended to and including June 23, 2000.

S030956 People, Respondent

v.

William James Ramos, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including May 5, 2000.

No further extensions of time are contemplated.

S033975 People, Respondent

V.

Michael Stephen Combs, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including June 5, 2000.

S034072 People, Respondent

v.

Robert Zane Curl, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including May 30, 2000, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

No further extensions of time are contemplated.

S034725 In re Andre Burton

on

Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's traverse to the return to the order to show cause is extended to and including May 17, 2000.

No further extensions of time will be granted.

S046176 People, Respondent

v.

Glen Cornwell, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including June 9, 2000.

S067491 In re Ronald Harold Seaton

on

Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response to the petition for writ of habeas corpus is extended to and including June 5, 2000.

S074270 People, Respondent

V.

Jorge M., Appellant

The request of respondent for leave to file belated answer to amicus curiae brief of International Wound Ballistics Association etc. is hereby granted.

An answer thereto may be served and filed by respondent on or before April 19, 2000.

S081934 People, Respondent

V.

Jose Juan Garcia, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to and including May 5, 2000.

No further extensions of time are contemplated.

S083660 In re Wendell Harrison

on

Habeas Corpus

On application of the Attorney General and good cause appearing, it is ordered that the time to serve and file the informal response is extended to and including May 1, 2000.

S085212 James W. Obrien et al., Petitioners

v.

Secretary of State Bill Jones et al., Respondents

The request of respondents Senate President and the Speaker of the Assembly for permission to file a late response to the amicus curiae brief of Center for Public Interest Law is hereby granted. S087364 Edwin Chavez, Petitioner

v.

Riverside County Superior Court, Respondent

People, Real Party in Interest

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition shall be denied.

S087388 Larry G. Edwards, Petitioner

v.

Appellate Division Sacramento Superior Court, Respondent Bowie Enterprises Incorporated, Real Party in Interest

The above-entitled matter is transferred to the Court of Appeal, Third Appellate District, for consideration in light of *Hagan v*. *Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition shall be denied.

S040471 People, Respondent

V.

Milton Ray Pollock, Appellant

Upon request of appellant for appointment of counsel, Karen Kelly is hereby appointed to represent appellant Milton Ray Pollock for habeas corpus/executive clemency proceedings related to the above automatic appeal now pending in this court.

Bar Misc. 4186 In the Matter of the Application of the Committee of Bar Examiners of the State of California for Admission of Attorneys

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(LIST OF NAMES ATTACHED TO ORIGINAL ORDER)

S081555 In the Matter of the Suspension of Attorneys For Nonpayment of Dues

Due to clerical error on the part of the State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of dues filed on September 10, 1999, effective September 27, 1999, be amended *nunc pro tunc* to strike the name of Lance L.Y. Lee, #187051.

S058542 In re **William Leslie O'Bryan** on Discipline

It is ordered that the probation previously ordered in S058542 (State Bar Court case nos. 94-O-15331; 95-O-14462 (Cons.)) be extended for a period of nine months. Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in accordance with Business and Professions Code section 6140.7.

S085536 In re **Gary Osborne Kent** on Discipline

It is hereby ordered that **Gary Osborne Kent, State Bar No. 61707,** be disbarred from the practice of law and that his name be stricken from the roll of attorneys. He is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S085537 In re **Louis Sosa Flores** on Discipline

It is hereby ordered that **Louis Sosa Flores, State Bar No. 57017,** be disbarred from the practice of law and that his name be stricken from the roll of attorneys. He is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S085538 In re **Lawrence Crawford Bragg** on Discipline

It is ordered that **Lawrence Crawford Bragg, State Bar No. 33302,** be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for 14 months and until he has shown proof satisfactory to the State

Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct and until he makes restitution to Melodie Smith and James Tym (or the Client Security Fund, if appropriate) in the amount of \$19,286.80 and \$431.20, respectively, plus 10% interest per annum from January 1 1993, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel. He is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed December 15, 1999. He is further ordered to comply with rule 955, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and payable in accordance with Bus. & Prof. Code section 6140.7.

*(See Business & Professions Code, § 6126, subd. (c).)

S085602 In re **Gerard E. Sabo** on Discipline

It is ordered that **Gerard E. Sabo, State Bar No. 74988,** be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including 30 days actual suspension, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed December 28, 1999. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti* v. *State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

S085603 In re **Marci A. Sandoval** on Discipline

It is hereby ordered that Marci A. Sandoval, State Bar No. 154001, be disbarred from the practice of law and that her name be stricken from the roll of attorneys. She is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S085604 In re **Lynn S. Young** on Discipline

It is ordered that **Lynn S. Young, State Bar No. 54860** be suspended from the practice of law for one year, that execution of suspension be stayed, and that she be placed on probation for two years subject to the conditions of probation, including 90 days actual suspension, recommended by the Hearing Department of the State Bar Court in its decision filed November 19, 1999. It is further ordered that she take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti* v. *State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that she comply with rule 955, California Rules of Court, and that she perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with section 6140.7.

*(See Business & Professions Code, § 6126, subd. (c).)

S085605 In re **Lincoln N. Mintz** on Discipline

It is ordered that Lincoln N. Mintz, State Bar no. 37610, be actually suspended from the practice of law for one year and until he attends Ethics School and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel, as recommended by the Hearing Department of the State Bar Court in its decision filed December 23, 1999; and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205. Rules of Procedure of the State Bar of California. He is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If he is actually suspended for two years or more, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that he take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension unless he complied with the order to do so in S082193. It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and

40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

*(See Business & Professions Code, § 6126, subd. (c).)

S085613 In re **Barbara Sharpe** on Discipline

It is ordered that **Barbara Sharpe**, **State Bar no. 177488**, be actually suspended from the practice of law for one year and until she successfully completes State Bar Ethics School, and provides satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel, as recommended by the Hearing Department of the State Bar Court in its decision filed December 1. 1999, as modified by the order filed January 10, 2000; and until the State Bar Court grants a motion to terminate her actual suspension pursuant to rule 205, Rules of Procedure of the State Bar of California. She is also ordered to comply with the other conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating her actual suspension. If she is actually suspended for two years or more, she shall remain actually suspended until she provides proof to the satisfaction of the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that she take and pass the Multistate Professional Responsibility Examination during the period of her actual suspension. (See Segretti v. State Bar (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that she comply with rule 955, California Rules of Court, and that she perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.\

*(See Business & Professions Code, § 6126, subd. (c).)

S085704 In re **Brian Victor William Pogue** on Discipline

It is ordered that **Brian Victor William Pogue**, **State Bar No. 118157**, be actually suspended from the practice of law for 30 days and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205, Rules of Procedure of the State Bar

of California. He is also ordered to comply with the other conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If he is actually suspended for two years or more, he shall remain actuall suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See Segretti v. State Bar (1976) 15 Cal.3d 878, 891, fn. 8.) If he is actually suspended 90 days or more, it is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

*(See Business & Professions Code, § 6126, subd. (c).)